

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 7/28/2022

ATLANTIS WORLDWIDE LLC,

Plaintiff,

-against-

EXPANSION MEDICAL, LLC,

Defendant.

**Civil Action No. 1:21-cv-08184-(AT)
ECF Case**

DEFAULT JUDGMENT

WHEREAS, on July 28, 2022, the United States District Court for the Southern District of New York (the “District Court”) entered a default judgment in favor of Plaintiff Atlantis Worldwide, LLC (“Plaintiff”), on liability and damages in the total amount of \$82,600.00, plus post-judgment interest accruing at the rate of 9% per annum, pursuant to 28 U.S.C. 1961 (the “District Court Judgment”). The District Court Judgment arose from the default of Defendant Expansion Medical, LLC (“Defendant”) in appearing, answering or otherwise responding to the Complaint and Amended Complaint in this action; and

WHEREAS, on October 15, 2021, the Summons and Complaint in this action were served on Defendant by personally serving the New York Secretary of State as agent for Expansion Medical, LLC; and

WHEREAS, on October 20, 2021, Plaintiff filed proof of service of the Summons and Complaint (ECF #9); and

WHEREAS, on October 27, 2021, the Summons and Complaint in this action were personally served on Defendant; and

WHEREAS, On November 2, 2021, Plaintiff filed proof of such additional service of the Summons and Complaint (ECF # 10); and

WHEREAS, Defendant's response to the Complaint was due on November 5, 2021; and
WHEREAS, Defendant failed to answer, appear or otherwise move with respect to the Complaint; and

WHEREAS, on December 7, 2021, Plaintiff filed a proposed Clerk's Certificate of Default, which was entered on December 8, 2021 (ECF # 13); and

WHEREAS, on December 14, 2021, Plaintiff filed a proposed Order to Show Cause for an Order entering a default judgment as to liability and damages in the amount of \$82,600.00 against Defendant; and

WHEREAS, on April 4, 2022, the Court ordered Plaintiff to file an Amended Complaint in this action; and

WHEREAS, on April 5, 2022, Plaintiff filed an Amended Complaint in this action (ECF # 26); and

WHEREAS, on April 12, 2022, the Clerk of the Court issued an Amended Summons in this action (ECF # 30); and

WHEREAS, on April 13, 2022, the Amended Summons and Amended Complaint were served on Defendant; and

WHEREAS, on April 14, 2022, Plaintiff filed proof of service of the Amended Summons and Amended Complaint on Defendant (ECF # 31); and

WHEREAS, Defendant's response to the Amended Complaint was due on May 4, 2022; and

WHEREAS, Defendant has failed to answer, move or otherwise appear in this action with respect to the Amended Complaint; and

WHEREAS, on May 4, 2022, the Clerk of the Court issued a second Clerk's Certificate of Default (ECF # 40); and

WHEREAS, on June 30, 2022, the Court issued an Order to Show Cause why a default judgment should not be entered against Defendant; and

WHEREAS, the Court held a hearing on said Order to Show Cause on , 2022; and

WHEREAS, on July 28, 2022, the Court entered an oral decision finding Defendant liable upon Defendant's default;

NOW, upon the entry of the Court's Decision and Order finding Defendant liable upon Defendant's default, it is

ORDERED, ADJUDGED, AND DECREED that Plaintiff Atlantis Worldwide LLC, does have judgment against and recover from Defendant Expansion Medical, LLC, the amount of \$82,600.00, plus post-judgment interest accruing at the rate of 9% per annum, pursuant to 28 U.S.C. 1961, and that Plaintiff shall have execution thereon.

Dated: July 28, 2022
New York, New York



ANALISA TORRES
United States District Judge